

UNITED STATES COURT OF APPEALS  
FOR THE  
SECOND CIRCUIT

# MANDATE

At the Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 11<sup>th</sup> day of February, two thousand and thirteen,

Before: Raymond J. Lohier, Jr.,  
*Circuit Judge.*

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MD Mahmudur Rahim, Tasnina Rahim,  
Petitioners,

v.

Eric H. Holder, Jr., United States Attorney General,  
Respondent.

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**ORDER**  
Docket No. 11-4505

Petitioner has moved under FRAP 42(b), with the consent of Respondent, to dismiss this appeal and remand to the Board of Immigration Appeals.

IT IS HEREBY ORDERED, that the motion is granted and the case is remanded to the Board of Immigration Appeals. To ensure an opportunity for prompt restoration of this case to this Court's jurisdiction as the Petitioner may wish, the remand is pursuant to the principles and procedures set out in United States v. Jacobson, 15 F.3d 19 (2d Cir. 1994).

Either party may reinstate the case in this Court at any time by filing a letter to that effect with the Clerk of Court. No new petition for review or additional filing fee will be required for restoration of the Court's jurisdiction.

If the Government decides to resume efforts to remove Petitioner, the Government must notify the Court and Petitioner at least 21 days prior to removal. Upon receipt of the notice the Clerk of Court will reinstate the case.

For The Court:

Catherine O'Hagan Wolfe,  
Clerk of Court

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit



*Catherine O'Hagan Wolfe*



*Catherine O'Hagan Wolfe*

MANDATE ISSUED ON 02/11/2013